

TOWN BOARD MEETING

April 19, 2006

Supervisor Pagones opened the Regular Town Board meeting at 9:30 am, Town Hall, 807 Route 52, Fishkill, New York and led the audience with the “Pledge of Allegiance”.

Present: Supervisor Joan A. Pagones, Town Board members, Steve Ferguson, Ronald Leenig, Heather Malvarosa, Dennis Zack; Town Attorney - Ronald Blass, Town Engineer - John Andrews, Pamela Garnot – Supervisor’s Assistant, Joanne Shebanie – Legislative Aide; Christopher Colsey – Municipal Development Director, Nancy Lecker – Zoning Secretary, Debbie Davis – Planning Secretary, Paul Gromkowski – Housing Director, John Darcy – Assistant Housing, Cindy Starke – Recreation Director, Simon Barker - GAP, Marshall Brenner, Gwynn Brenner, Mark Frye, Maureen Lashlee, and Town Clerk, Darlene Bellis

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

None

ANNOUNCEMENT(s)

Fishkill/MS-4 Phase II Stormwater Implementation Grant Application

Supervisor Pagones announced that the Fishkill/MS-4 Phase II Stormwater Implementation grant application is in the Town Clerk’s office for review. The grant has been completed and submitted.

Grant approval from GAP Foundation in amount of \$9,000.00

Cindy Starke explained what the grant money is used for and thanked Simon Barker for their \$9,000.00 GAP Foundation money.

Supervisor Pagones thanked Simon Barker also and presented Mr. Barker with a tee-shirt and a rendering of the Town Hall and again thanked him for all he has done.

Simon Barker accepted the gift and was thankful to build relationships with the Town.

APPROVAL OF MINUTES

Supervisor Pagones stated that the minutes of February 27, 2006 Special Town Board meeting were distributed for the Board’s review and she would entertain a motion to approve said minutes.

Motion made by Councilman Leenig **to approve the minutes of February 27, 2006 as submitted.** **Seconded** by Councilman Ferguson Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

PRESENTATION(s)

Introduction of the Dutchess County Community Action Partnership
Maureen Lashlee made her presentation introducing the Dutchess County Community Action Agency (**presentation material attached to original minutes**).

MOTION(s) TO APPROVE/ADOPT

Acceptance of Locust Vue Senior Housing rezoning application
Mark Frye made a brief presentation of the Locust Vue Senior Housing with a 25% affordable housing, 27 units of affordable housing, they have not increased the size but increased units, and they the reconfigured buildings.

Peter Caruss explained the layout of the project.

Steve Markowitz continued with explaining the use of the property to break down the mass into three sections.

Motion made by Councilman Ferguson **to accept the rezoning application and refer said application to planning board, John Andrews, Paul Gromkowski for their review and comments, and declare intent to be lead agency of this project when the revised EAF is reviewed deemed complete.** **Seconded** by Councilman Leenig

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Small Cities Grant / Engineer's report
Town Engineer, John Andrews, gave a status report and indicated that he made a modification to the design which will save time and money but will have the grant ready for next meeting for approval.

Reduction Request - Van Wyck at Merritt Park
Supervisor Pagones read (**copy attached to original minutes**) a letter from Joseph Tacchino requesting the reduction of the Van Wyck at Merritt Park letter of credit from \$1,500,000.00 to \$236,549.05.

John Andrews stated that this needs to be referred to Town Attorney, Ronald Blass' office.

Request to connect to public sewer system - 50 High View Road

Supervisor Pagones read (**copy attached to original minutes**) a letter from Frances Stroether requesting permission to be co0nnected to the public sewer system for here address at 50 High View Road.

John Andrews will check into the feasibility as there is no town sewer in that area and maybe village sewer.

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Resolution re: Sales tax Exemption DC

Councilman Ferguson read (**copy attached to original minutes**) a resolution stating the town board unanimously disagrees with the County Executive and firmly believes that the County sales tax should be exempted on clothing up to the value of \$110.00 and made a **Motion to adopt resolution and send copy of resolution to all Dutchess County municipalities.** **Seconded** by Councilman Leenig

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Court disposition request

Supervisor Pagones read (**copy attached to original minutes**) a request for court disposition.

Motion made by Councilman Zack **to approve the court disposition request from Ed Peters as submitted.** **Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Approval for private drive name - Vilardi Lane

Supervisor Pagones read (**copy attached to original minutes**) a request from Christopher Colsey indicating Vilardi Lane as a private drive.

Motion made by Councilman Zack **to approve the private drive name as requested, Vilardi Lane.** **Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Variance to noise ordinance - Dutchess Stadium

Supervisor Pagones read (**copy attached to original minutes**) a request for noise variance for an additional fire works display.

Motion made by Councilman Zack **to approve the request from Dutchess Stadium for an additional fire works display.** **Seconded** by Councilman Ferguson
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

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Request to use two voting machines by the Wappingers Central School District on May 16, 2006 - Budget Vote
Supervisor Pagones read (**copy attached to original minutes**) a request to use two voting machines for their budget vote on Tuesday, May 16, 2006.

Motion made by Councilwoman Malvarosa **to approve the request to use two voting machines for the Wappingers Central School District’s budget vote on May 16, 2006.** **Seconded** by Councilman Ferguson
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Liquor License Renewal - The Hudson Valley Towne Center
Supervisor Pagones read (**copy attached to original minutes**) a liquor license renewal request. She also read Police Chief’s okay comments to said request.

Motion made by Councilman Ferguson **to accept and approve the request as submitted.** **Seconded** by Councilman Leenig
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

MOTION(s) TO APPOINT

Reappointment of Planning Board member - Peg Birney
Motion made by Councilman Zack **to reappoint Peg Birney to the Planning Board for another four year term effective May 01st, 2006.** **Seconded** by Councilman Leenig

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Typist - full time position - Nancy Lecker

Motion made by Councilman Ferguson **to appoint Nancy Lecker to a full time position as secretary to the Zoning Board with a 35 hour work week.** **Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

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Donald Cocker - Permanent Part-time status change

Motion made by Councilman Ferguson **to appoint Donald Cocker as a permanent part-time status employee with 20 hour work week.**

Seconded by Councilman Leenig

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

BUDGET TRANSFERS

None

Councilwoman Malvarosa read (copy attached to original minutes) the Supplemental

Amendment between the Village and Town of Fishkill and the resolution adopting supplemental agreement; and made a **Motion to adopt and authorize the Supervisor to execute a proposed Supplemental Agreement between the Village of Fishkill and the Town of Fishkill.**

Seconded by Councilman Zack

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

NEW and OLD BUSINESS

Councilwoman Malvarosa

May 27th is dial-a- ride meeting that she will be attending.

May 21st is the 3rd Annual Dog Show Off on grounds of Town Hall.

Councilwoman Malvarosa made a **Motion to approve the election redistricting descriptions due to the definitions changed to accommodate board of elections.** **Seconded** by Councilman Zack Pagonos (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Councilman Zack

He announced that the Little League opening parade is starting from Doug Phillips Park at 9:00 am.

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Councilman Ferguson

He announced that the computer system upgrade and high speed internet system is being installed and should be up and running within the next couple of weeks. The Veterans Memorial Committee will be meeting on May 28th, 2006.

Councilman Ferguson made a **Motion that all future PBA details that include the use of vehicles or weapons, the person requesting the detail, will have to provide an insurance policy with the Town named as an insured to handle all details.** **Seconded** by Councilman Zack Pagonos (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Councilman Leenig

He announced that the Senior Picnic will be August 30th, 2006 and the town will hold it instead of the Office of Aging, Cindy Starke will be helping with organization; Heather Malvarosa will help out also with sponsors, etc.

Local Law for a Second Legislative Aide

supervisor Pagonos read (**copy attached to original minutes**) a resolution introducing a local law to create a second position of “legislative aide to the Town Board” which shall be an unclassified service position pursuant to Chapter 35 (c) of the New York Civil Service Law and to set a public hearing for such enactment.
creating second position

Motion made by Councilman Ferguson **to set a public hearing on May 06, 2006 at 10:00 am for the purpose of introducing a local law to create a second position of “legislative aide to the Town Board”.** **Seconded** by Councilman Zack

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye

	Councilman Zack	aye
	Supervisor Pagones	aye
Motion Carried		

Senior Horizons Water/Sewer Contract
Supervisor Pagones read (**copy attached to original minutes**) a resolution for the water and sewer agreements between Senior Horizons and the Rombout Water and Sewer Districts.

Motion made by Councilwoman Malvarosa **to approve and authorize the Supervisor to execute a proposed out-of-district tenant agreement between Horizons and the Rombout Sewer District, and Rombout Water District.** **Seconded** by Councilman Zack

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye
Motion Carried		

Water Line Agreement
Supervisor Pagones read (**copy attached to original minutes**) resolution approving the dedication of water line agreement between Horizons and the Town of Fishkill and a proposed assignment agreement between said parties.

Motion made by Councilman Ferguson **to approve and authorize the Supervisor to execute a proposed dedication water line easement and a proposed assignment agreement between Horizons and the Town of Fishkill.** **Seconded** by Councilman Leenig

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye
Motion Carried		

EXECUTIVE SESSION

Motion made by Councilman Zack **to go into executive session.**

Seconded by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Executive Session at 11:03 am

Regular Order of Business

Motion made by Councilman Zack **to go back into the regular order of business.** **Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Regular Order of Business at 11:22 am

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ADJOURNMENT

Motion made by Councilman Zack **to adjourn the meeting.** **Seconded** by Councilwoman Ferguson

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Meeting adjourned at 11:23 am

Respectfully submitted,

Darlene Bellis,
Town Clerk